

In the midst of the fiscal year 2006 budget proceedings on the House floor, Congressman Earl Blumenauer (D – Ore.) made a procedural motion for the committee to rise, thus interrupting the flow of debate and summoning members back to the floor. By bringing forth the motion, Blumenauer provided an opportunity to raise the profile of HR 1332, “The Protection of Incapacitated Persons Act,” a bill the Republican majority passed late last night.

“As a member of this House and an Oregonian,” Blumenauer said, “I am deeply troubled by this late night maneuvering to adopt a bill that could fundamentally undermine Advanced Directives and end-of-life decisions that all Americans are entitled to.”

The bill, written in response to the debate surrounding Terri Schiavo of Florida, could have far reaching, unintended, consequences. If enacted, this legislation could undermine Oregon’s Death with Dignity law, approved by Oregon voters twice, in 1994 and 1997.

While most people were unaware of the bill itself, the Republican leadership changed the consideration procedure when it became clear a vote on the measure would have to happen today. As a result, a voice vote, with only a handful of members present, was all that it took to pass the measure.

HR 1332 faces an uncertain fate in the Senate. The bill is so poorly written that it is unlikely, but not impossible, that the Senate would rush it through. The Republican leadership in the House reserved a procedural rule that would permit a Senate passed bill to be rushed through the House at the end of the day. With the procedural vote, Blumenauer was able to send a signal that it would not be something that would happen quietly and quickly. Additionally, it brought an opportunity to inform the House about the stakes broadly and, indeed, the procedural motion received much more attention in the House today than did the actual bill passage the night before; both inside and outside the chamber.

Blumenauer indicated that he seldom uses procedural devices of this nature but felt that the principles involved were so important, for not just the integrity of the Florida courts, but because of the direct implications it has on Oregon’s Death with Dignity law.

“The assault by ideologues and intolerant people who would impose government on these most personal decisions continues,” Blumenauer said. “We have seen it in Florida where politicians have repeatedly intervened in the decision of Terry Schiavo’s husband. The courts

in Florida have seen fit to render judgment, but that is not good enough for folks. They want to supersede the objection of the parties involved, and move this case to the Federal courts.”

Blumenauer added, “You may not be from Oregon or Florida, but make no mistake, the action being considered is a drumbeat to take away the authority of citizens to deal with these most personal of matters. These underhanded tactics leave families, local courts, and voters vulnerable to legislators in their zeal to tell others how to lead their lives.”

Blumenauer noted the hypocrisy of the Republican majority which in the closing days of the last session decided that the federal courts were not competent enough to deal with issues relating to marriage or the pledge of allegiance, but should somehow be entrusted with the most sensitive and personal end-of-life decisions that Oregonians think ought to be dealt with by families, their physicians and their clergy.